#### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date: December 19, 2017

Consent [] F Public Hearing [X]

Regular [ ]

Department: Water Utilities Department

I. EXECUTIVE BRIEF

**Motion and title:** Staff recommends motion to: A) adopt a Resolution of the Board of County Commissioners, Confirming the Special Assessment Roll for the 52<sup>nd</sup> Court North Water Main Extension (Project); and B) approve a Work Authorization (WA) No. 13 to Johnson-Davis Incorporated under the Water Utilities Department (WUD) Continuing Construction Contract (Contract) (R2016-0902) in the amount of \$116,480.45.

Summary: The Project will provide potable water service to 12 residential properties currently on private wells. Petitions in favor of the installation of a potable water main were provided to WUD with a 58% favorability rate (7 in favor, 4 not in favor and 1 no response). The petitions were considered and approved at the regular meeting of the Board of Supervisors of the Indian Trails Improvement District (ITID) on October 12, 2016. Individual assessments of \$11,990.76 per parcel (See Exhibit A) will be assessed based on 90% of the total estimated cost of the Project, pursuant to the terms of the agreement between the County and ITID, in which the County committed to allocate \$500,000 to provide financial support for up to 10% of the final cost for assessment projects within the legislative boundaries of the ITID. WUD has encumbered and expended a total of \$287,553.07 for previous ITID assessment projects. Each individual assessment was determined by using parcel method to divide the assessable cost per parcel. Assessments are payable over a 20-year time period in equal annual payments of principal and 5.5% interest. The total assessable cost of the Project is \$159,876.80 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration and construction contingency, as well as the 10% financial support payment dictated by WUD's contract with ITID. WA No. 13 will provide for the construction of the Project. The Contract with Johnson-Davis Incorporated provides for SBE participation of 3.28%. WA No. 13 includes 24.35% overall participation. The cumulative SBE participation is 12.76% overall. Johnson-Davis Incorporated is a Palm Beach County Company. (WUD Project No. 17-012) District 6 (MJ).

**Background and Justification:** On March 24, 2017, signed petitions were received from a majority of the property owners on 52<sup>nd</sup> Court North. The original estimated assessable cost based on parcel method of the special assessment was \$13,888.68 per parcel for the construction of water mains and service lines. The assessable cost was revised after project design was completed. The tentative assessable cost is \$11,990.76. The original signed petition forms are on file and available for public inspection at the Engineering Office of WUD.

On Sunday, November 19, 2017 a Notice of Special Assessment was published in The Palm Beach Post. All property owners subject to assessment have been sent notification by regular mail pursuant to Ordinance 2001-0010. A final informational meeting was held with the property owners prior to the Public Hearing to explain the proposed improvements and the cost of the project.

## Attachments:

- 1. Resolution Confirming the Special Assessment Process
- 2. Location Map
- 3. Tentative Report of Cost
- 4. Three (3) Original Work Authorization No. 13
- 5. ITS Summary of Certificates
- 6. Proof of Publication

Recommended By:	Jim Stiles Department Director	11-21-17
	Department Director	Date
Approved By:		12/8/17
	Deputy County Administrator	Date

### **II. FISCAL IMPACT ANALYSIS**

## A. Five Year Summary of Fiscal Impact:

Does this item include the use of federal funds?

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match County	<u>\$116.481</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u>		0 0 0 0 0		0000
NET FISCAL IMPACT	<u>\$116,481</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Budget Account No.: Fu	ınd <u>4011</u>	Dept <u>721</u> U	nit <u>W031</u>	Object <u>6543</u>	
Is Item Included in Current E	udget?	Y	′es <u>X</u>	No	

Reporting Category <u>N/A</u>

Yes

## B. Recommended Sources of Funds/Summary of Fiscal Impact:

Adequate funds are available in the WUD Special Assessment Fund. Assessable costs will be recovered from the property owners over a 20-year period. If the actual cost exceeds the total assessable cost, the difference will be covered by WUD's budget.

C. Department Fiscal Review:

FOR KR

## III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:



B. Legal Sufficiency:

12/7/ Assistant County Attorney

C. Other Department Review

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No

**Department Director** 

This summary is not to be used as a basis for payment.

5. The Clerk of this Board shall cause this Resolution to be recorded in the Official Records of Palm Beach County, Florida, in the Office of the Clerk of the Circuit Court.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_\_who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_\_and upon being put to a vote; the vote was as follows:

Commissioner Hal Valeche Commissioner Paulette Burdick Commissioner Dave Kerner Commissioner Steven L. Abrams Commissioner Mary Lou Berger Commissioner Melissa McKinlay Commissioner Mack Bernard

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

Ву:\_\_\_\_

Sharon R. Bock, Clerk and Comptroller

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Ву\_\_\_\_\_



FUND AGENCY ORG	COMMISSION DISTRICT	SECTION	TOWNSHI	PRANGE
	6 MELISSA MCKINLAY	04	43S	41E
		l		,

No.	Homeowner	PCN/Legal Description	Parcel	Cost/Per Parcel	Total Assessment	Annual Cost/Per Parcel	Annual Cost/Per Year	Notes
1 OLN	ISTEAD, DALE & PHYLLIS	00-41-43-04-00-000-718.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
	33 52ND CT N ST PALM BEACH, FL 33411-8171	4-43-41, E 209 FT OF W 687 FT OF S 239 FT OF N 4332 FT OF W 1/2 AS IN OR2107P1069		,	Init	ial <mark>Final</mark> N	Petition	
2 MC	GEE, BRUCE J & SHARON WALLING	00-41-43-04-00-000-720.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
	78 52ND CT N YAL PALM BEACH, FL 33411-8170	4-43-41, E 209 FT OF W 478 FT OF S 269 FT OF N 4601 FT OF W 1/2 AS IN OR2242P1350				ial Final Y	Petition	
3 BLC	OCKER, GARY E	00-41-43-04-00-000-721.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
	46 52ND CT N YAL PALM BEACH, FL 33411-8170	4-43-41, E 209 FT OF W 1105 FTOF S 269 FT OF N 4601 FT OF W 1/2 AS IN OR2242P1352				iai Finai f	Petition	
4 NIEI	NHOUSE, GEORGE J JR	00-41-43-04-00-000-725.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
	79 52ND CT N ST PALM BEACH, FL 33411-8171	4-43-41, E 209 FT OF W 478 FT OF S 239 FT OF N 4332 FT OF SEC				ial Final N	Petition	
5 SAL	VO, CARL F	00-41-43-04-00-000-726.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
	34 52ND CT N ′AL PALM BEACH, FL 33411-8170	4-43-41, E 209 FT OF W 687 FT OF S 269 FT OF N 4601 FT OF SEC			Init	ial Final Y	Petition	

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.



FUND AGENCY ORG		SECTION	TOWNSHI	P RANGE
	6 MELISSA MCKINLAY	04	43S	41E
		l		

No.	Homeowner	PCN/Legal Description	Parcel	Cost/Per Parcel	Total Assessment	Annual Cost/Per Parcel	Annual Cost/Per Year	Notes
6 HROMA	, JEFFREY J & KIMBERLY S	00-41-43-04-00-000-735.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
	2ND CT N PALM BEACH, FL 33411-8171	4-43-41, E 239 FT OF W 1553 FTOF S 239 FT OF N 4332 FT OF W 1/2 IN OR2480P1604			[ Init second	tial Final Y	Petition	
7 DANIELS	S ALISSA	00-41-43-04-00-000-736.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
	2ND CT N ALM BEACH, FL 33411-8171	4-43-41, E 209 FT OF W 1105 FTOF S 239 FT OF N 4332 FT OF W 1/2 IN OR2386P290			Init	ial Final	Petition	
8 PRINCE	, ICAR	00-41-43-04-00-000-738.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
	/ 118TH AVE /OOD, FL 33025-5659	4-43-41, E 209 FT OF W 896 FT OF S 269 FT OF N 4601 FT OF W 1/2 IN OR2423P1953				ial Final N	Petition	
9 FORD, V	VILLIAM & DIANE	00-41-43-04-00-000-739.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
	2ND CT N ALM BEACH, FL 33411-8170	4-43-41, E 239 FT OF W 1553 FTOF S 269 FT OF N 4601 FT OF W 1/2 IN OR2386P292			Init	ial Final Y	Petition	
10 EDDY, J	ENNIFER R	00-41-43-04-00-000-753.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
	2ND CT N ALM BEACH, FL 33411-8170	4-43-41, E 209 FT OF W 1314 FTOF S 269 FT OF N 4601 FT OF SEC			Init	ial Final Y	Petition	

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.



Notes

		FUND AGENCY ORG	COMMISSION DISTRICT	이 요구 가지 않는 이 제도 도구 가지 않는	SECTION T	TOWNSHIP RANGE			
			6 MELISSA MCKINLAY		04	43S 41E	j		
No.	Homeowner		PCN/Legal Description	Parcel	Cost/Per Parcel	Total Assessment	Annual Cost/Per Parcel	Annual Cost/Per Year	M
11 MALDO	NADO, CHRISTOPHER	00-41-43-04-00-000-7	77.0	1	\$11,990.76	\$11,990.76	1003.3787630	\$1,003.38	
13705 52ND CT N ROYAL PALM BEACH, FL 33411-8171			W 1314 FTOF S 239 FT OF N 4332 FT OF W				tial <sup>¯</sup> Final <sup>¯</sup> Y	Petition	

12 BURKE, WILLIAM T & ROBIN M	00-41-43-04-00-000-780.0	1	\$11,990.76	\$11,990.76 1003.3787630 \$1,003.3	.38
13793 52ND CT N WEST PALM BEACH, FL 33411-8171	4-43-41, E 209 FT OF W 896 FT OF S 239 FT OF N 4332 FT OF SEC			Initial Final N Petition	ļ

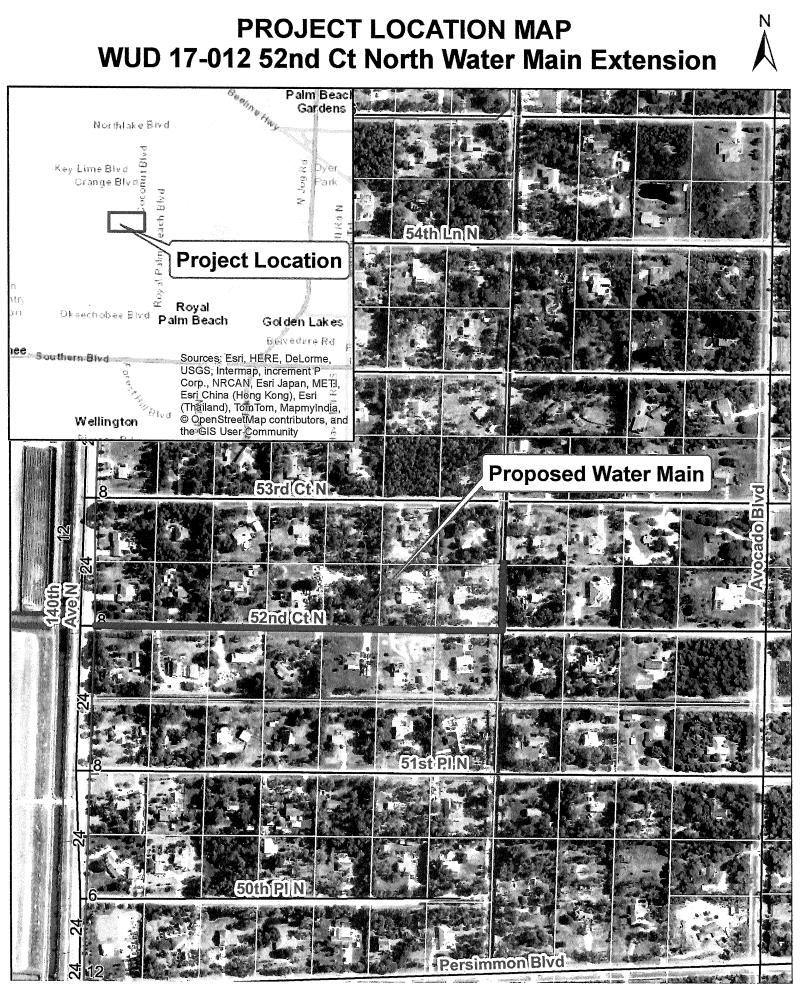
	Note Description/Totals	
1	MODIFIED ASSIGNED FRONTAGE	0
2	CONFIDENTIAL RECORD	0
3	UNITY OF TITLE	0
4	TAX MAP FRONTAGE	0
5	SCALED FRONTAGE	0
6	SURVEY	0
7	PAPA FRONTAGE	0
8	VERIFY LEGAL, OWNER CONTESTING TAXES	0

Total:	12	Total:

Petition Response Summary						
			Init	ial	Fir	nal
Homeowners	12	Voted Yes	0	0%	7 []	58%
Properties	12	Voted No	0	0%	1	33%[]
Needed	7	No Response	12	100%	1	8%

\$143,889.12

Assessments which have not been paid in full within thirty days after completion of the subject improvements for which said assessment was made, will be charged interest at a rate of five and a half (5.5) percent per annum from the date of the acceptance of said improvement by Palm Beach County and shall be payable in twenty equal annual installments of principal and interest.



TENTATIVE REPORT OF COST 52ND CT NORTH WATER MAIN EXTENSION SPECIAL ASSESSMENT PROJECT PROJECT NO. WUD 17-012 COMMISSION DISTRICT 6 SECTION 04, TOWNSHIP 43 SOUTH, RANGE 41 EAST FUND 4011 DEPT. 721 ORG. W031 OBJECT 6543

Construction Price Estimated Construction Contingency (10%) (1) Inspection Fee (4%) (2) Engineering Fee (3) Administration Fee (5%) (4) **Total Project Cost** Financial Support Discount Administrative Adjustment (5) **Total Assessable Cost** Total Properties **Cost Per Property** 

\$116,480.45 \$11,648.05 \$4,659.22 \$21,265.08 \$5,824.02 \$159,876.82 \$15,987.68 --\$0.02 \$143,889.12 12 \$11,990.76

Notes:

1. Construction Contingency is 10% of the Construction Cost

2. Inspection fee is 4% of the Construction Cost.

3. Engineering Fee of <u>\$21,265.08</u> is for the cost of survey, design and drafting from Holtz Consulting Engineer.

4. Administrative Fee is 5% of the Construction Cost.

5. Administrative Adjustment is used to round the cost per parcel to the nearest cent.

#### WORK AUTHORIZATION NO. 13

## Palm Beach County Water Utilities Department Pipeline Continuing Construction Contract 16-013

Project Title: 52<sup>nd</sup> Ct North Water Main Extension

Project No. WUD 17-012

#### District: 6

## Budget Line Item No.: 4011-721-W031-6543

**THIS AUTHORIZATION No.13** to the Contract for Construction Services dated <u>July 12</u>, <u>2016</u> (R2016 -0902), by and between Palm Beach County and the Contractor identified herein, is for the Construction Services of this Work Authorization. The Contract provides for <u>3.28%</u> SBE participation overall. This Work Authorization includes 24.35% overall participation. The cumulative proposed SBE participation, including this authorization is 12.76% overall. Additional authorization will be utilized to meet or exceed the stated overall participation goal;

1. CONTRACTOR: Johnson-Davis Incorporated

## 2. ADDRESS: 604 Hillbrath Drive, Lantana, FL 33462

3. Description of Services (Scope of Work) to be provided by the Contractor: Contractor shall perform the construction Scope of Services as described here which includes the installation of approximately 1,475 LF of 6" and 8" PVC & DIP water line, assorted valves and Fire Hydrants with restoration including sod and gravel driveways and associated appurtenances.

- 4. Services completed by the Contractor to date: See ATTACHMENT G.
- 5. Contractor shall begin work promptly or deliver ordered materials within the following calendar days from the issuance of Notice to Proceed (NTP):

Substantial Completion <u>60</u> Calendar Days Final Construction Completion <u>90</u> Calendar Days Liquidated damages will apply as follows: \$500.00 per day past substantial completion date. \$250.00 per day past final completion date. (For Liquidated Damages Rates see **ATTACHMENT B**)

6. The compensation to be paid to the Contractor for providing the requested services in accordance with the Contract Bid Prices is \$116,480.45

7. EXCEPT AS HEREBY AMENDED, CHANGED OR MODIFIED, all other terms, conditions and obligations of the Contract dated <u>July 12, 2016</u> remain in full force and effect.

## Project No. WUD 17-012

## **Project Title: 52<sup>nd</sup> Ct North Water Main Extension**

IN WITNESS WHEREOF, this Authorization is accepted, subject to the terms, conditions and obligations of the aforementioned Contract.

## PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

Sharon R. Bock, Clerk & Comptroller, Palm Beach County ATTEST:	Palm Beach County, Board of County Commissioners
Signed:	Signed:
Typed Name: Deputy Clerk	Jc.S Date
Approved as to Form and Legal Sufficiency	
Signed:	- }
Typed Name: County Attorney	CONTRACTOR: Johnson-Davis, Inc.
ATTEST Witness	RO Hall
(Name and Title)	Name and Title)
(CORPORATE SEAL)	<i>10/06/17</i> Date

## LIST OF ATTACHMENTS

## WORK AUTHORIZATION NO. 13

## Palm Beach County Water Utilities Department Pipeline Continuing Construction Contract 16-013

ATTACHMENT – A	Compensation Summary (Scope of Work)
ATTACHMENT – B	Rate for Liquidated Damages
ATTACHMENT – C	Public Construction Bond
ATTACHMENT – D	Form of Guarantee
ATTACHMENT – E	Work Authorization Schedule of Bid Items
ATTACHMENT – F	SBE Schedule 1 and Schedule 2
ATTACHMENT – G	Authorization Status Report - Summary and Status of Authorizations
ATTACHMENT – H	Authorization Status Report - Summary of SBE/Minority Business Tracking
ATTACHMENT – I	Location Map

#### WORK AUTHORIZATION NO. 13

#### Palm Beach County Water Utilities Department Pipeline Continuing Construction Contract 16-013

#### SCOPE OF WORK FOR

#### 52<sup>nd</sup> Ct North Water Main Extension

#### INTRODUCTION

Palm Beach County (County) entered into an agreement entitled Contract for Pipeline Continuing Construction Services - Palm Beach County Water Utilities Department Project No. WUD <u>16-013</u> (CONTRACT) with <u>Johnson-Davis Incorporated</u> (CONTRACTOR) to provide construction services for various general activities on the Pipeline Continuing Construction Contract dated <u>July 12, 2016</u>, (R2016 - 0902). This Work Authorization will be performed under that CONTRACT.

#### This Work Authorization encompasses providing services related to <u>52<sup>nd</sup> Ct North</u> <u>Water Main Extension</u>

#### SCOPE OF SERVICES

Contractor shall perform the construction Scope of Services as described here which includes the installation of approximately 1,475 LF of 6" and 8" PVC & DIP water line, assorted valves and Fire Hydrants with restoration including sod and gravel driveways and associated appurtenances.

#### COMPENSATION

Compensation shall not exceed <u>\$116,480.45</u> in accordance with the unit prices established in the Contract for construction services dated <u>July 12, 2016</u> as approved by the Board of County Commissioners.

#### SBE PARTICIPATION

SBE participation is included in **ATTACHMENT F** under this Authorization. The attached Schedule 1 defines the SBE applied to this Authorization/Contract and Schedule 2 establishes the SBE contribution from each subcontractor (Letter of Intent to perform as an SBE).

#### WORK AUTHORIZATION NO. 13

#### Palm Beach County Water Utilities Department Pipeline Continuing Construction Contract 16-013

#### **Rates for Liquidated Damages**

Palm Beach County Water Utilities Department shall establish liquidated damages rates for each Work Authorization based on the dollar amount and time sensitivity of the project. The rates shall be as follows according to a criticality rating of 1 through 3 assigned to each Work Authorization by the Department as established below:

Highly Important Project (Criticality 1): Liquidated Damages \$1,500 per day after Substantial Completion Date \$1,000 per day after Final Completion Date

Moderately Important Project (Criticality 2): Liquidated Damages \$1,000 per day after Substantial Completion Date \$500 per day after Final Completion Date

Low Important Project (Criticality 3): Liquidated Damages \$500 per day after Substantial Completion Date \$250 per day after Final Completion Date

#### PUBLIC CONSTRUCTION BOND – WORK AUTHORIZATION NO. 13 WUD 17-012 TO CONTINUING CONTRACT NO. WUD 16-013

BOND NUMBER: 016076404

WORK AUTHORIZATION/BOND AMOUNT: \$116,480.45

CONTRACTOR'S NAME: Johnson-Davis, Incorporated

CONTRACTOR'S ADDRESS: 604 Hillbrath Drive Lantana, FL 33462

CONTRACTOR'S PHONE: (561) 588-1170

SURETY COMPANY: Liberty Mutual Insurance Company

SURETY'S ADDRESS: 175 Berkeley Street Boston, MA 02116

(617) 357-9500

OWNER'S NAME: PALM BEACH COUNTY

OWNER'S ADDRESS: 8100 Forest Hill Boulevard West Palm Beach, FL 33413

OWNER'S PHONE: (561) 493-6000

DESCRIPTION OF WORK: <u>52<sup>nd</sup> Ct North Water Main Extension</u>, which includes the installation of approximately 1,475 LF of 6" and 8" PVC & DIP water line, assorted valves and Fire Hydrants with restoration including sod and gravel driveways and associated appurtenances.

COUNTY'S PROJECT NUMBER: WUD 17-012

PROJECT LOCATION: District 6

LEGAL DESCRIPTION: WUD 17-012 legal description is Section 04 Township 43 Range 41

PROJECT NO. WUD 16-013

BOND - 1

Rev 4-8-16

This Bond is issued in favor of the County conditioned on the full and faithful performance of the Work Authorization No. <u>13</u>, to Continuing Contract No. WUD 16-013 dated on \_\_\_\_\_\_, 20\_\_\_\_.

KNOW ALL MEN BY THESE PRESENTS: that Contractor and Surety, are held and firmly bound unto Palm Beach County Board of County Commissioners 301 N. Olive Avenue West Palm Beach, Florida 33401

as Obligee, herein called County, for the use and benefit of claimant as herein below defined, in the amount of

<u>One Hundred Sixteen Thousand Four Hundred Eighty and 45 /100</u> Dollars (<u>\$116,480.45</u>) (Here insert a sum equal to the Work Authorization/Bond Amount from page 1)

for the payment whereof Principal and Surety bind themselves, their heirs, personal representatives, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS,

Principal has by written agreement dated \_\_\_\_\_\_, entered into Work Authorization No. <u>12</u> to Continuing Contract No. WUD 16-013 with the County for

Work Authorization Project Name: <u>52<sup>nd</sup> Ct North Water Main Extension</u> Work Authorization Project No.: <u>WUD 17-012</u> Project Description: <u>52<sup>nd</sup> Ct North Water main Extension, which includes the installation</u> of approximately 1,475 LF of 6" and 8" PVC & DIP water line, assorted valves and Fire Hydrants with restoration including sod and gravel driveways and associated appurtenances. Project Location: <u>District 6</u>

in accordance with Design Criteria Drawings and Specifications prepared by

Name of Design Firm: Palm Beach County Water Utility Department Location of Firm: 8100 Forest Hill Boulevard, West Palm Beach, FL 33413 Phone: (561) 493-6000 Fax: (561) 493-6133

which Work Authorization No. <u>13</u>, to Continuing Contract No. WUD 16-013 is by reference made a part hereof in its entirety, and is hereinafter referred to as the Work Authorization.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the Work Authorization dated \_\_\_\_\_\_, between Principal and County for the design and construction of  $52^{nd}$  Ct North Water Main Extension, Project, WUD <u>17-012</u>, the Work Authorization being made a part of this bond by reference, at the times and in the manner prescribed in the Work Authorization; and

2. Promptly makes payments to all claimants, as defined in Section 255.05, Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the Work Authorization; and

PROJECT NO. WUD 16-013

BOND - 2

Rev 4-8-16

3. Pays County all losses, damages (including liquidated damages), expenses, costs, and attorneys' fees, including appellate proceedings, that County sustains because of a default by Principal under the Work Authorization; and

4. Performs the guarantee of all work and materials furnished under the Work Authorization for the time specified in the Work Authorization, then this bond is void; otherwise it remains in full force.

5. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the Work Authorization or the changes does not affect Surety's obligation under this bond and Surety waives notice of such changes.

6. The amount of this bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment by Surety of construction liens which may be filed of record against said improvement, whether or not claim for the amount of such lien be presented under and against the bond.

7. Principal and Surety expressly acknowledge that any and all provisions relating to consequential, delay and liquidated damages contained in the Work Authorization are expressly covered by and made a part of this Performance, Labor and Material Payment Bond. Principal and Surety acknowledge that any such provisions lie within their obligations and within the policy coverage's and limitations of this instrument.

8. Section 255.05, Florida Statutes, as amended, together with all notice and time provisions contained therein, is incorporated herein, by reference, in its entirety. Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes. This instrument regardless of its form, shall be construed and deemed a statutory bond issued in accordance with Section 255.05, Florida Statutes.

9. Any action brought under this instrument shall be brought in the state court of competent jurisdiction in Palm Beach County, Florida and not elsewhere.

LARISA Print name

Elizabeth Sterling Print name

Johnson-Davis,	ncorporated	•
Principal	0	(Seal)
ROBLER	N. HOCLER	
Print name	••	
vice pré.	SDENT	
Title		

Liberty Mutual Insurance Company

Maria Signorile		
Print name	Þ	
Attorney-in-Fact		+ 1
Title		,

PROJECT NO. WUD 16-013

BOND - 3

Rev 4-8-16

(Seal)

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BONG BY THESE PRESENTS THAT THE CATA Charance Company the concentration due to prevent the law of the law o		POWER OF ATTORNEY		
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and delive, for and co lie bond are survey are face is to define any role of a undertakeling, is designing on early comparison in the comparison and the comparison a	all of the situate Atlanta			
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<ul> <li>Line of pennsylawing and pennsy</li></ul>	IN WITNESS WHEREOF, this Power of Attorney has been su thereto this <u>9th</u> day of <u>August</u> 2017		panies and the corporate seals of the Compani	es have been
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My Commission Express March 28.2021      Metrop: Vernagyvainia Association of Notatries      This Power of Attorney Is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Mich resolutions are now in full force and effect reading as failows:      ARTICLE IV - OFFICERS - Section 12. Power of Attorney, Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President and     to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, subject to the limitations set forth in their res     powers of Attorney, shall have thill power to bind the Corporation by the residuent and attested to by the Secretary. Any power or authority ranted to any representative or attorney-In-fact     the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer arguing such power or authority for the purpose     and such instruments shall be as hinding as if signed by the President and prescribe, shall appoint such attorneys-in-fact, subject to the limitations set for the purpose     attorney, shall have thill power to bind the Corporation by the Originizations. Such attorneys-in-fact, subject to the second terb     and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, subject to the summary to the resolution of any such instruments and to attach thereal the seal of the Corporation     weedued such instruments shall be as binding as if signed by the the secretary. Any officer or the subject to the limitations as the forth     respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereal the seal of the Corporation     weedued such instruments shall be as binding as if signed by the resident of the examples and devicer as surely analydated by the compa		Teresa Pastella, Notary Public		)
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To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 nm EST on any husiness day.

#### GUARANTEE FOR (Contractor and Surety Name)

. 3

#### Johnson-Davis, Incorporated, Contractor and Liberty Mutual Insurance Company, Surety

We the undersigned hereby guarantee that the **Pipeline Continuing Construction Contract 2016**, **Project Number WUD 16-013**, **Work Authorization Number** <u>13</u>, **WUD 17-012**, Palm Beach County, Florida, which we have constructed and bonded, has been done in accordance with the plans and specifications; that the work constructed will fulfill the requirements of the guaranties included in the Contract Documents. We agree to repair or replace any or all of our work, together with any work of others which may be damaged in so doing, that may prove to be defective in the workmanship or materials within a period of one year from the date of Final Completion of all of the above named work by the County of Palm Beach, State of Florida, without any expense whatsoever to said County of Palm Beach, ordinary wear and tear and unusual abuse or neglect excepted by the County. When correction work is started, it shall be carried through to completion.

In the event of our failure to acknowledge notice, and commence corrections of defective work within five (5) calendar days after being notified in writing by the Board of County Commissioners, Palm Beach County, Florida, we, collectively or separately, do hereby authorize Palm Beach County to proceed to have said defects repaired and made good at our expense and we will honor and pay the costs and charges therefore upon demand.

County and (contractor, engineer, architect as applicable) agree that the provisions of Florida Statute Chapter 558 shall not apply to this (contract, agreement as applicable).

DATED \_\_\_\_\_\_\_\_\_(notice of completion filing date)

SEAL AND NOTARIAL ACKNOWLEDGMENT OF SURETY

Johnson-Davis, Incorporated (Seal) (Contractor) Bv (Signature)

OBURS A. (Printed Name)

Liberty Mutual Insurance Company (Seal) (Surety)

Man By: (Signature)

Maria Signorile, Attorney-in-Fact (Printed Name)

**END OF SECTION** 

PROJECT NO.: WUD 16-013

**GUARANTEE - 1** 

Rev 4-22-15

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th IN	I WITNESS WHEREOF, I have he	reunto subscrib	ed my name and aff	xed my not	arial seal at King of	Prussia, Pennsylv	ania, on the day a	and year first abo	ove written.	
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10 confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 nm EST on anv business day.

#### SCHEDULE OF BID ITEMS

Palm Beach County Water Utility Department Pipeline Continuing Construction Contract - <u>WUD 16-013</u>

 Work Authorization No.: 13

 Contractor Name:
 Johnson-Davis Inc.

 Project Name:
 52nd Ct North Water Main Extension

 Project No.:
 WUD 17-012

<u>NO.</u>	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL
4	6" PVC Push-On Joint Water Main/Reclaimed Water Main/Wastewater Force Main	1,450	LF	\$18.00	\$26,100.00
5	6" DIP Push-On Joint Water Main/Reclaimed Water Main	25	L.F.	\$35.00	\$875.00
7	8" PVC Push-On Joint Water Main/Reclaimed Water Main/Wastewater Force Main	5	L.F.	\$22.00	\$110.00
29	Ductile Iron Fittings for Water Main/Reclaimed Water Main	0	Tons	\$4,800.00	\$1,920.00
67	6" Mechanical Joint Restraint for PVC	36	Each	\$200.00	\$7,200.00
68	8" Mechanical Joint Restraint for PVC	1	Each	\$250.00	\$250.00
84	6" PVC Pressure Pipe Restraint Harness	10	Each	\$110.00	\$1,100.00
95	Restrain existing 8" PVC Pressure Pipe	2	Each	\$1,275.00	\$2,550.00
103	6" Gate Valve & Valve Box	3	Each	\$950.00	\$2,850.00
153	Fire Hydrant Assembly with Captivator Caps, 6" Gate Valve & Anchor Tee Assembly & 10-ft of 6" R.J. DIP	3	Each	\$5,300.00	\$15,900.00
157	Sample Points W/Double Strap Saddle & Corp. Stop	1	Each	\$900.00	\$900.00
158	Sample Points on Fire Hydrants	2	Each	\$600.00	\$1,200.00
167	Short Single 5/8" Meter Service (1-1/2" Polyethylene) (up to 10' long)	7	Each	\$1,000.00	\$7,000.00
171	Long Single 5/8" Meter Service (1-1/2" Polyethylene with 3" Casing up to 40' long)	7	Each	\$1,550.00	\$10,850.00
187	4" to 12" Diameter Connection to Existing Water Main/Reclaimed Water Main or Force Main (Joint Restraint for existing pipe to be included)	1	Each	\$2,800.00	\$2,800.00
205	Limerock/Shell Driveway or Roadway Removal and Restoration	115	Tons	\$30.00	\$3,450.00
211	Bahia Sod	2,244	Sq. Yd.	\$4.00	\$8,976.00
214	Record Drawing	1,475	L.F.	\$2.00	\$2,950.00
215	Construction Survey	1,475	L.F.	\$2.00	\$2,950.00
216	Preconstruction Video Taping	1,475	L.F.	\$0.50	\$737.50
217	Mail Box Removal and Reinstallation	6	Each	\$150.00	\$900.00
218	Maintenance of Traffic Residential Street	1,475	L.F.	\$1.00	\$1,475.00
221	Density Tests .	45	Each	\$35.00	\$1,575.00
222	Proctor Tests	2	Each	\$90.00	\$180.00
225	Demucking with Imported Clean Fill	20	Cu. Yd.	\$20.00	\$400.00
	SUBTOTAL BASE BID PRICE (Item 1-286)				\$105,198.50

# Palm Beach County Water Utility Department Pipeline Continuing Construction Contract - <u>WUD 16-013</u>

Work Authorization No.: 13 Contractor Name: <u>Johnson-Davis Inc.</u> Project Name: <u>52nd Ct North Water Main Extension</u> Project No.: <u>WUD 17-012</u>

		1		1	
<u>NO.</u>	BID ITEM (Furnish and Install with Appurtenances)	QUANTITY	UNIT	UNIT PRICE	TOTAL
NO.	ADDITIONAL WORK/MOBILIZATION/DEMOBILIZATION	QUANTITY	UNIT	UNIT PRICE	
287	Additional work not included in Bid Items (Max 15% of Subtotal Base Bid Price)	1	Lump Sum	\$7,600.00	\$7,600.00
288	Mobilization (2.5% of Subtotal Base Bid Price)	1	Lump Sum	2.5%	\$2,629.96
289	Demobilization (1.0% of Subtotal Base Bid Price)	1	Lump Sum	1.0%	\$1,051.99
	SUBTOTAL ADDITIONAL WORK/MOBILIZATION/DEMOBILIZATION BID PRICE (Item 287-289)				\$11,281.95
	TOTAL BID PRICE				\$116,480.45
NO.	ADDITIONAL WORK -ITEM 287	QUANTITY	UNIT	UNIT PRICE	
287A	Auto Flush Assembly	1	Each	\$5,800.00	\$5,800.00
287B	Vertical deflections at hydrants	3.	Each	\$600.00	\$1,800.00
· · · · · · · · · · · · · · · · · · ·	SUBTOTAL ADDITIONAL WORK (Item 287)				\$7,600.00

Notes:

1) Prices assume ample space is available to avoid damage to driveway culverts and headwalls and to not cause loss of production in those areas. If that is not the case, extra compensation may be necessary.

#### SCHEDULE #1

#### LIST OF PROPOSED SBE-M/WBE PRIME/SUBCONTRACTORS

PROJECT NAME:	52nd Ct North Water N		_ PROJE	CT NUMBER:	WUD 17-012			
NAME OF PRIME BIDDER: CONTACT PERSON: BID OPENING DATE:	Johnson-Davis Incorporated Bernie Vito			-		<u>604 Hillbrath I 561-588-1170</u> NT		, FL 33462 561-585-5252
		PLEASE IDEN	TIFY ALL APPLICA	BLE CATEGORIES	5			
Name, Address and Telephone		(Check one or b	oth Categories)			· 1	Dollar Amount	
Number of Minority Contractor		Minority Business	Small Business	Black	Hispanic	Women	Caucasian	Other (Please Specify)
Utility Supply Associates Inc.	561-493-9900		x					
140 Commerce Rd., Boynton Beach	i, FL 33426			\$	\$	\$	\$19,827.00	\$
Betsy Lindsay Inc.	Ph: 772-286-5753	L						T
7997 SW Jack James Drive, Stuart,	FL 34997		Lx .	\$	\$	\$ 4,500.00	\$-	\$

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Agricultural Land Services. 561-732-6105		x					
12265 State Road 7, Boynton Beach, FL 33473					\$ 4,039.20		
				•			
PRIME CONTRACTOR TO COMPLETE:		TOTAL	\$0.00	\$0.00	8,539.20	\$19,827.00	\$ -
BID PRICE: <u>\$ 116,480.45</u>	Total Val	ue of SBE Participation:	\$28,366.20				

1. The amount listed on this form for a Subcontractor must be supported by price or percentage included on Schedule 2 or a proposal from each Subcontractor listed in order to NOTE: be counted toward goal attainment. 2. Firms may be certified by Palm Beach County as an SBE and/or an M/WBE. If firms are certified as both an SBE and M/WBE, please indicate the dollar amount under the

eappropriate category. 3. M/WBE information is being collected for tracking purposes only.

#### SCHEDULE 2

## LETTER OF INTENT TO PERFORM AS AN SBE OR M/WBE SUBCONTRACTOR

	(Nan	ne of Prime Bido	lər)	
The undersig	ned is certified by Palm Beach C	ounty as a(n) -	(check one or m	ore, as applicable):
Sma	Il Business Enterprise 🔀	Minc	rity Business En	terprise
Black I	Hispanic Women Cau	casianOt	her (Please Spec	cify)
Date of Palm	Beach County Certification:	3-22-1	Le	nen manana kana kana ang kana kana kana kana
(Specify in de	ied is prepared to perform the followin stail, particular work items or parts	ng described work thereof to be pe	in connection will rformedi:	the above project
Line Item/Lot	Item Description	Qty / Units	Unit Price	Total Price
No. <u>47,246</u>	Water Materials	1 ton S	# <u>33,045</u>	#33,045
**************************************	per quote	erester generester terrent terrent of the sound state and the soun	**************************************	
at the following		Anna (		
\$	(Subcontractor's quote)		naanan isa Daalin Keelibbileen soo waxaan waxaan	
County. If undersigned	nto a formal agreement for work with I intends to sub-subcontract any por such subcontract must be stated: S	tion of this subco	intract to a non-ce	utified SBE subcontractor,
The undersign	red subconfractor understands that from providing quotations to other bio	the provision d	f this form to pri	

3.3045 Reduction Muterial Supplier X60% final partie 19,827

By: Ml -(Signature)

William Potts (Print name/litle of person executing on behalf of SBE-MWIJE Subcontractor)

Date: 10-4-2017

#### **SCHEDULE 2**

#### LETTER OF INTENT TO PERFORM AS AN SBE OR M/WBE SUBCONTRACTOR

PROJECT NO	D. WUD 17-012 PROJECT NA	ME: 52 <sup>nd</sup> Ct N	orth Water M	ain Extension						
то: Jo	hnson- Davis									
	TO: <u>OUTINS ON - DAVIS</u> (Name of Prime Bidder)									
The undersign	ned is certified by Palm Beach Co	ounty as a(n) – (	check one or mo	ore, as applicable):						
Small	Small Business Enterprise Minority Business Enterprise									
Black H	lispanic Women Cauc	asianOth	er (Please Spec	:ify)						
Date of Palm	Beach County Certification:									
	d is prepared to perform the followin ail, particular work items or parts			the above project						
Line  tem/Lot No.	Item Description	Qty / Units	Unit Price	Total Price						
214	Record Ocusings		<u>L5</u> <u>L5</u>	22.50						
			total	4.570						
		·····								
at the following	price 4500									
Ψ	(Subcontractor's quote)		internet in a second process for each of the second second second second second second second second second sec							

And will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach

County. If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractor, the amount of any such subcontract must be stated: \$\_\_\_\_\_\_,

The undersigned subcontractor understands that the provision of this form to prime bidder does not prevent subcontractor from providing quotations to other bidders

Print Name of SBE-M/WBE Subcontractor) JMC The second second (Signature) By:  $\overline{U}$ 

 $\frac{\mathcal{E}_{\text{CLZATB}}}{\text{(Print name/title of person executing on behalf of SBE-MWBE Subcontractor)}}$ INDSP

Date: 10

#### SCHEDULE 2

## LETTER OF INTENT TO PERFORM AS AN SBE OR M/WBE SUBCONTRACTOR

	D 17-012 PROJECT NAM						
то:	Tohnson-Davis	of Prime Bidder)					
	(Name	or Prime Blader)	)				
The undersigned is	certified by Palm Beach Cou	unty as a(n) – (ch	eck one or mor	e, as applicable):			
Small Busin	ness Enterprise	Minority	/ Business Ente	rprise			
Black Hispani	ic Women Cauca	asianOther	(Please Specif	ý)			
Date of Palm Beach	n County Certification:			· ·			
The undersigned is pr (Specify in detail, pa	repared to perform the following articular work items or parts t	described work in hereof to be perfo	connection with t	he above project			
Line Item/Lot iten No.	n Description	Qty / Units	Unit Price	Total Price			
	Julia Sod	224454	182	40.39 ==			
······································		1999-1999-1999-1999-1999-1999-1999-199	······································	····			
				· · · · · · · · · · · · · · · · · · ·			
		مەرىپ مىسىمەر مەرىمەنىي بىر مىلىدىن. مەرىپ					
at the following price	\$ 4039 20						
(Subcontractor's quote)							
And will enter into a formal agreement for work with you conditioned upon your execution of a contract with Palm Beach County.							
If undersigned intends to sub-subcontract any portion of this subcontract to a non-certified SBE subcontractor, the amount of any such subcontract must be stated: \$							
The undersigned subcontractor understands that the provision of this form to prime bidder does not prevent subcontractor from providing quotations to other bidders							
		(Print Na By	appe of SBE-M/W	BE Subcontractory			

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By: \_\_\_\_\_\_\_\_(Signature) [Mary Finde's en (Print name/title of person executing on behalf of SBE-MWBE Subcontractor)

ervisez a 0

Date: 10-5-17

## AUTHORIZATION STATUS REPORT

#### SUMMARY AND STATUS OF AUTHORIZATIONS

Auth.			Project	Date	WUD No.	Consultant's
No.	Description	Status	Total		Assigned	
1	Water Treatment Plant No. 8 – 12" Force Main along Jog Road	Approved	\$326,311.48	9/27/16	14-048	
1.1	Water Treatment Plant No. 8-12" Force Main along Jog Road	Approved	\$10,108.13	2/3/17	14-048	
2	77 <sup>th</sup> Lane North West of Seminole Pratt Whitney Rd Water Main	Approved	\$99,026.55	9/27/16	16-077	
3	CD03 South County Water Services Replacement Phase 4	Approved		11/1/16	15-038	
4	Haverhill Rd & Okeechobee Blvd Valve Replacement	Approved	\$164,394.45	11/23/16	16-074	
5	Emergency Force Main Repair on 40 <sup>th</sup> Street	Approved	\$657,444.19	10/18/16	16-093	
6	Water Main Extension at Hilton Palm Beach Airport Hotel	Approved	\$47,155.12	12/15/16	16-071	
7	Force Main Improv. On Lyons Rd from Norte Lago to North of Pine Springs Dr.	Approved	\$813,782.69	1/10/17	16-078	
	Force Main Improv. On Lyons Rd from Norte Lago to North of Pine Springs Dr.	Approved	-\$194,603.55	2/22/17	16-078	
8	Belle Glade-Torry Island and Rim Canal Directional Bore	Approved	\$32,070.00	2/10/17	15-031	
9	68 <sup>th</sup> St. North Water Main Extension	Approved	\$199,512.45	5/16/17	16-079	· · · · · · · · · · · · · · · · · · ·
10	Century Village Water System Insertion Valve Program Year 1	Approved		4/3/17	16-070	
	Water Treatment Plant 11 HDPE Raw Water Main Repair	Approved		4/3/17	17-041	
	Water Distribution System Improvements Phase 1: Ponderosa Drive	Approved	\$960,537.78	9/26/17	15-102	
13	52 <sup>nd</sup> Ct North Water Main Extension	Pending	\$116,480.45		17-012	
	Total		\$4,722,448.95			

Revised (12-9-14)

## ATTACMENT H

#### AUTHORIZATION STATUS REPORT

#### SUMMARY OF

#### SBE / MINORITY BUSINESS TRACKING

	Total	SBE
Current Proposal 13		
Value of Authorization No. 13	\$116,480.45	
Value of SBE - M/WBE Letters of Intent	\$28,366.20	\$28,366.20
Actual Percentage	24.35%	24.35%
Signed/Approved Authorizations		
Total Value of Authorizations	\$4,605,968.50	
Total Value of SBE - M/WBE Signed Subcontracts	\$574,313.06	\$574,313.06
Actual Percentage	12.46%	12.46%
Signed/Approved Authorizations Plus Current Proposal		
Total Value of Authorizations	\$4,722,448.95	
Total Value of Subcontracts & Letters of Intent	\$602,679.26	\$602,679.26
Actual Percentage	12.76%	12.76%
GOAL	3.28%	12.76%

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Revised (12-9-14)



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## **Summary of Certificates**

# This report displays detailed Certificate of Insurance information for a selected Insured. Any items shown in red are deficient.

Thursday, October 12, 2017			
Simple View Certificate Images	Documents Call Log		
Insured: Johnson-Davis, Inc.	Insured ID	: 16-013-PBC	
Status: Compliant			
ITS Account Number: PLC2098			
Project(s): Palm Beach County -	Water Utilities		
Insurance Policy <u>General Liability</u> Expiration: 3/1/2018	Required	Provided	Override
General Aggregate:	\$1,000,000	\$2,000,000	
Products - Completed Operations Aggregate:	\$1,000,000	\$2,000,000	
Personal And Advertising Injury:	\$0	\$0	
Each Occurrence:	\$1,000,000	\$2,000,000	
Fire Damage:	\$0	\$0	
Medical Expense:	\$0	\$0	
Automobile Liability Expiration: 3/1/2018	All Owned Autos Hired Autos Non-Owned Autos	Any Auto not provided Hired Autos Non-Owned Autos	x
Combined Single Limit:	\$1,000,000	\$2,000,000	
Workers Compensation/Employers Liability	WC Stat. Limits	WC Stat. Limits	
Expiration: 3/1/2018			
Each Accident:	\$100,000	\$1,000,000	
Disease - Policy Limit:	\$500,000	\$1,000,000	
Disease - Each Employee:	\$100,000	\$1,000,000	
Inland Marine/Transit Insurance Expiration: 3/1/2018	Loss Payee Endorsement	Loss Payee Endorsement	t

Notifications (Show All)

There were no deficiency letters issued.

Do you have an updated Certificate? Click the button below to submit a Certificate.

Certificate Submittal

https://its.insurancetrackingservices.com/clientreports/ProblemsSpecificRpt.asp?Vendor=... 10/12/2017

# **Revised Proof of Publication Forthcoming**

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# The Palm Beach Post

Palm Beach Daily News ideabar

# PROOF OF PUBLICATION STATE OF FLORIDA

# **PUBLIC NOTICE**

Before the undersigned authority, personally appeared Rosemary Hindmarch, who on oath, says that he/she is a Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published in West Palm Beach and distributed in Palm Beach County, Martin County, and St. Lucie County, Florida; that the attached copy of advertising for a P-Main Legal ROP was published in said newspaper on: first date of Publication 11/19/2017 and last date of Publication 11/19/2017. Affiant further says that the said The Palm Beach Post is a newspaper published in West Palm Beach, in said Palm Beach County, Florida and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

PBC BOCC WATER UTILITIES PO BOX 4036 WEST PALM BEACH, FL 33402-4036

0000258225	nvoice/Order Number:
\$700.00	Ad Cost:
\$0.00	Paid:
\$700.00	Balance Due:

Signed

(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this <u>27th</u> day of <u>November, 2017</u> in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

ÐK. Signed

(Notary)

Ir

Please see Ad on following page(s).

: E



s, 19, 2017 PUB: Palan Beach Post, Sunday, No

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Page 3 of 3